

stubborn cases of sinus trouble usually will yield to this treatment. Physicians are among those loudest in their praise of Nozol for sinus trouble * * * people having trouble breathing while sleeping and this is also true in case of children, can overcome this condition by clearing out the passages with Nozol," were false and fraudulent in that the said statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof, and create in the minds of such purchasers the impression and belief that the article was composed of or contained ingredients or medicinal agents effective as a remedy for the several diseases, ailments, and afflictions mentioned therein, whereas it contained no ingredients or medicinal agents capable of producing the effects claimed.

On July 24, 1929, and September 10, 1929, respectively, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

16799. Adulteration and alleged misbranding of A. D. S. cold and grippe tablets. U. S. v. 113½ Dozen Packages of A. D. S. Cold and Grippe Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23389. I. S. No. 05293. S. No. 1556.)

On February 13, 1929, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 113½ dozen packages of A. D. S. cold and grippe tablets at Chicago, Ill., alleging that the article had been shipped by the Vadsco Sales Corporation, from Long Island City, N. Y., January 5, 1929, and transported from the State of New York into the State of Illinois, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that the tablets contained acetanilid (1.77 grains) and quinine sulphate (0.25 grain) per tablet, aloin, camphor, capsicum, and extract of podophyllum.

It was alleged in the libel that the article was misbranded in that the following statements appearing in the labeling, regarding the curative or therapeutic effects of the said article, (large carton) "Grippe Tablets," (individual carton) "Remedy for * * * Grippe," and (circular) "Grippe Remedy," were false and fraudulent in that the said statements were applied to the article knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof and create in the minds of such purchasers the impression and belief that it was composed of or contained medicinal agents effective as a remedy for the diseases, ailments, and afflictions mentioned therein. Misbranding was alleged for the further reason that the statement borne on the label, "Each tablet contains 2 grains of acetanilide," was false and misleading.

It was further alleged in the libel that the article was misbranded in that its strength fell below the professed standard under which it was sold, in that it was sold under the following standard, "Each tablet contains 2 grains of acetanilide," which statement represented that each tablet of the article contained 2 grains of acetanilid, whereas the said article failed to contain 2 grains of acetanilid (per tablet). Regarding this last charge, the recommendation of this department was that the article was adulterated for the reasons charged in the libel.

On April 24, 1929, no claimant having appeared for the property, judgment was entered condemning and forfeiting the product as adulterated, and it was ordered by the court that the said product be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

16800. Misbranding of Astyptodyne and Astyptodyne cough syrup. U. S. v. 69 Bottles of Astyptodyne Cough Syrup, et al. Default orders of destruction entered. (F. & D. Nos. 23574, 23575. I. S. Nos. 05697, 05698. S. Nos. 1771, 1783.)

On April 5, 1929, the United States attorney for the Western District of South Carolina, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 69 bottles of Astyptodyne cough syrup, and 24 bottles of Astyptodyne at Spartanburg, S. C., alleging that the articles had been shipped

by the Astyptodyne Chemical Co., from Wilmington, N. C., in various consignments, on or about December 24, 1928, January 1, 1929, and January 26, 1928, respectively, and transported from the State of North Carolina into the State of South Carolina, and charging misbranding in violation of the food and drugs act as amended.

Analyses of samples of the articles by this department showed that the Astyptodyne cough syrup consisted of sugar sirup and 2 per cent of pine oil, and that the Astyptodyne consisted of pine oil.

It was alleged in the libels that the articles were misbranded in that the following statements borne on the labels regarding the curative and therapeutic effects of the said articles were false and fraudulent, (Astyptodyne cough syrup, bottle) "For Coughs, sore throat, bronchitis, whooping cough and croup," (Astyptodyne cough syrup, carton) Astyptodyne cures all wounds except of the heart. It is healing to the membranes of the throat * * * In the treatment of coughs, * * * bronchitis, croup, sore throat, whooping cough, influenza, and other diseases of the throat and chest," (Astyptodyne, bottle) "For old ulcers, * * * sores * * * wounds, for skin eruptions, itch, eczema * * * rheumatism, neuralgia * * * swellings * * * to relieve toothache or other nervous * * * pain * * * for irritation of the * * * Lungs. For Rheumatism * * * Neuralgia, Swollen Joints * * * For Toothache * * * the relief will be almost instantaneous. For * * * Sore Throat, Influenza or Hay Fever," in that the articles contained no ingredients or combinations of ingredients capable of producing the effects claimed, and in that the said statements were applied to the articles knowingly and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to purchasers thereof and create in the minds of such purchasers the impression and belief that they were effective in the diseases and conditions named therein. Misbranding of the Astyptodyne was alleged for the further reason that the statements on the labels of the bottles and cartons, "Antiseptic * * * Germicidal," and in the circular, "Antiseptic," were false and misleading.

On June 1, 1929, no claimant having appeared for the property, it was ordered by the court that the products be destroyed by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*